App F IX 4

Previous References (1945-46 2nd)

File No 95-45
Serial Nos 37 38

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos TWD

Part B for April 46

SUBJECT

Remission of a sum of Rs 332-5-4 being the Market fees due from the Contractor Chickanayya a shop since due to outbreak of plague during 1944 & 1945-46.

D.O. Tundkar
Comptroller
for

Due to that a remission of a sum of Rs 204-2-8 be granted to the Contractor

Serial No

Letter No A6 C 1101/45-46 Dt 28-11-45 from the Dy Commr Tumkur Dt requesting sanction for remitting a sum of Rs 332-5-4 being the market fees due from the Contractor Chikkarangappa of Sira, due to out break of Plague during the year 1940-41.

TYPING SECTION
15 DEC 1945
GENL & REV SECTN

1 Before putting up a note on the facts of the case, the copy of the Sale Notification is necessary & it is not to be found in the records sent by the Dy Commr send with a draft letter for approval

13/12

2 Draft approved

To The Dy Commr Tumkur Dt

No L 5499 Dt 19-12-45

Asst A 20/12

Calls for some information

Letter No A6 C 1101/45-46 Dt 12-3-46 from the Dy Commr, Tumkur Dt, furnishing the information called for

3 The right of Collecting market fees in the Sira Town was leased out to one Mr Chikkarangappa for a sum of Rs 1345/- during the year 1940-41, payable in 12 monthly instalments in advance. The Contractor made regular payments during the months

NOTE—Contn Sheet

3885 √ 6515

Mc File No of 194 S — General and Revenue Secretariat

Serial No

of July Augt & Septr 1940 and defaulted thereafter on the ground that his business had greatly suffered owing to the outbreak of plague in the town from the middle of Septr 1940 to the middle of Jany 1941

4 Owing to the failure of the Contractor to pay the instalment of the Payment of the last amount the right of collection of fees was brought to resale At this stage the Contractor represented that he would be regular in regard to the payments of instalments & prayed for the cancellation of the resale & his request was granted

5 The remittances were very small owing to poor Collections as stated by the Contractor & presented an applcn for granting a remission of six months Kist The mcl at their meeting held on 30-4-41 resolved to remit Rs 392 4-8 being 3½ months kist as the Contractor had sustained loss -

6 It was reported that during the holding of the shandy at Sira was not prohibited by the Competent authority the shandy did not actually take Place

In the circumstances the Dy Commr recommends to remit two months Kist viz Rs 224-2-8 Submitted for orders

MKS 4/4

6515

The question relates to the remission of kists due by the Contractors for the Dera during 1940-41

6595

OF AGRICULTURE
APR 6 1940
No 6245

This stated that although the working of the standing crops was prohibited by a Competent Authority the standing crops were [illegible] plague at the place held against the Contractors who sustained loss and that the Collector has recommended that the Contract may be given a remission Rs 3 3 4/4 equal to .3½ maunds Kharif but the D C has expressed the opinion that, as a special case, two maunds kharif amount to Rs 2 14/28 maybe remitted, as that would represent the proportionate loss to the contractor would also be reasonable

The recommendation of the D C may perhaps be approved

Revised 4/4/41

A copy may be sent

Minister for Agr) 5/4/41

D/ft for slips

Slips to Sec/ Min

6515/2 re 95-45—

Sanctd with approbt & o for appl

17/4

17 [illegible]

re 58) To the Honble Commissioner [illegible]
the Comptroller
Proc 11778 dy 29-4-46
Directg him a remission of
Rs 224-2-8 be granted to M/s
Contractor etc—

[illegible] & FFV SCOTT

No A6 C 101/45-46
Enc 1 file

Office of the Deputy Commissioner,
Tumkur District
Dated, Tumkur, the 28th Nov 45

To

J B Narasimharadhya, Esq , M A ,
Secretary to the Govt of Mysore,
Revenue Department, Bangalore

Sir,

Re remitting a sum of Rs 332-5-4 being the market fees due from the contractor Chikkarangappa of Sira, due to out break of plague during the year 1940-41

In forarding herewith an original the records received from the President, Town Municipal Council, Sira, on the above subject, I have the honor to state as follows -

The President states, that the right of collecting market fees in Sira Town was leased out to one Chikkarangappa for a sum of Rs 1345/- during the year 1940-41 payable in 12 monthly instalments in advance as per conditions of sale The contractor had made regular payments during the months of July August and September 1940 and thereafter defaulted owing to out break of plague in the town from the middle of September 1940 to the middle of January 1941 on the plea that his business had greatly suffered owing to the plague season On 10-1-1941 he executed a statement before the President undertaking to pay the khists regularly and prayed for cancelling the re-sale and this request was conceded as it was really a period of severe plague His later remittances to the Municipality were small sums, owing to poor collections at the shandy

At this stage the contractor presented an application praying for remission of a sum proportionate to six months khist The Municipal Council had at its meeting held on 30-4-1941 resolved that a sum of Rs 392-4-8 being 3½ months khist may be remitted as the contractor had sustained loss The aggregate amount paid by the contractor was Rs 952-11-4

The connected records were returned by this office to the President for intimating the actual collections made by the contractor during the period referred to above, viz from the middle of September 1940 to the middle of January 1941 It was subsequently reported

reported that the contractor had collected a sum of Rs 116/- during this period and as such deducting the collections of Rs 116/- out of the 4 months khist viz Rs 448-5-4, the amount to be remitted comes to Rs 332-5-4

The connected records were again returned to the President inviting his attention to Notification No L 8265-Ml 89-40-25 dated 16-5-1941 re grant of remissions in such cases and stating that the amount should be proportionate and reasonable to the los sustained and that the present resolution to remit the four morths khist by the Council was not proper in view o clauses(2?) and (4) of the above notification and further that the Municipality too, should not lose its just revenues and hence remission proportionate to the loss sustained may be made

The President in submitting the records reports that the Municipal Council has at its meeting held on 8-6-1944 re-iterated its previous resolution dated 30-4-1941 stating that a sum of Rs 332-5-4 be remitted and that the balance of Rs 116/- has also been recovered from the contractor

I am of opinion that the resolution of the Council to remit a sum of Rs 332-5-4 is not in order as it is not covered by Clause (4) of the above notification re grant of remissions etc , and to request that sanction of Government may be kindly obtained to remit two months khist viz Rs 224-2-8 which would not only be proportionate to the loss susteined by the contractor but also reasonable and the Municipality ould thereby not be deprived of its revenue

I have the honor to be,
sir,
Your most obedient servant,
M S Shivaraya
For Deputy Commissioner,
Tumkur District
(absent from station)

To The Dy Comm^r L 5-499

Tumakuru Dt 19-12-45

Sir,

With reference to your letter No Rb C1101/45-46 Dy 28-11-45 re; remitting a sum of Rs 332-5-4 being the market fees due from the contractor Chikkarangappa of Sira due to outbreak of plague during the year 1940-41, I am directed to request you to forward the sale notification published in this behalf as the same is not found in the file of records received with your letter under reply. The record accompanying for reference and return

it may be returned after the [illegible] etc

The stamp may be affixed and being used during the present [illegible]

I am
Your Obt Servt

nl 95-45-37

No. Ad C 1101/45-46

Enc. 1 file

Office of the Deputy Commissioner,
Tumkur District.
Dated, Tumkur, the 12th March 1946.

From

Mir Safdar Hussain, Esq., B.A.,
Deputy Commissioner,
Tumkur District, TUMKUR.

To

K.D. Mallaradhya, Esq., M.A.,
Secretary to the Govt of Mysore,
Revenue Dept:, Bangalore.

Sir,

Subject:- Re remitting a sum of Rs 332-5-4 being the market fees due from the contractor Chikkarangappa of Sira due to out break of plague during the year 1940-41

With reference to your letter No L 5499/R dated 19-12-45 calling for information on the above subject, I have the honor to forward herewith the sale notification dated 8-6-1940 and the entire records relating to the above subject and to state that the President, Town Municipal Council Sira reports in his No 29/45 dated 23-1-1946 that though the holding of shandy at Sira was not prohibited by the competent authority Nevertheless due to the out-break of plague the shandy did not actually take place during the period As the contractor has actually sustained loss due to the out-break of plague the Municipal Council have resolved that he may be given the benefit of concession I therefore request you kindly to obtain sanction of Government as a special case to remit two monthly khist viz Rs 224-2-8 as already recommended by me However, the President Town Municipal Council, Sira will be instructed to observe all formalities before submitting such cases for concession in future

I have the honor to be,
sir,
Your most obedient servant,

Deputy Commissioner,
Tumkur District

AD 12/3

G R S App F VI—G 2]

SUBJECT

Diary No of letter replied to

General and Revenue Secretariat

( )

the *194*

Date of issue 29.4.1946

Signed by

May this be—

(i) printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette English Part ?

(iv) translated ?

(v) placed at the disposal of the press ?

(vi) published in the Gazette Kannada Part ?

Section M1

File No 95-45

Serial No 296

Proceedings of the Government of His Highness the Maharaja of Mysore

Read— Correspondence ending with letter no Ab C 1101/45 46 dt 12th March 1946 from the Dy Comm, Tumkur Dt, stating that the Sira Town municipal Chairman, at their meetings held on dates 30-4-41 & 8-6-44 approved of the proposal to remit a sum of Rs 332 5-4 ~~Order thereon—No~~ being the rent & half month's ~~market fees~~ amount due from Chickanna Gowda, Market contractor of the Sira town mcpy during the year 1940-41 owing to the closure of the shandy on account of plague ~~there~~ in the town ~~during the year~~ & requesting sanction thereto

Order no 11778-9

The Dy Comm, Tumkur Dt who

has examined the question in detail has expressed the opinion that, as a special case, a sum equal to two monthly khisty amount viz, Rs 224-2-8 may be remitted, as that would represent the proportionate loss to the Contractor and would also be reasonable Govt, agreeing with the opinion of the Dy Comm, Govt are pleased to direct that a remission of Rs 224-2-8 be granted to the Contractor

The Dy Commr Cuttack Dt is requested to issue necessary instructions to the party who can properly be taken action to recover the balance of the amount from the Contractor & credit it to the funds of the Govt in that behalf any delay

List of Enclosures

for Secy to Govt
Mily Revenue Dept

To the Dy Commr Cuttack (w R)
The Comptroller to Govt

Copied by

Examined by

WD 087—GPB—40 000—14 11 40

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

R e a d -

Correspondence ending with letter No.A6.C.1101/46-45 dated 12th March 1946 from the Deputy Commissioner, Tumkur District, stating that the Sira Town Municipal Council have, at their meetings held on 30-4-41 and 6-4-44 approved of the proposal to remit a sum of Rs.332-5-4 being the three and half month's khist amount due from Mr. Chickrangappa, Market Contractor of the Sira Town Municipality during the year 1940-41, owing to the closure of the shandy on account of the prevalence of plague in the Town during the period and requesting sanction thereto

O R D E R No. L 11778-9/ad 95-45-38

DATED, BANGALORE, THE 29 APRIL 1946

The Deputy Commissioner, Tumkur District, who has examined the question in detail has expressed the opinion that, as a special case, a sum equal to two monthly khists viz., Rs.224-2-8 may be remitted, as that would represent the proportionate loss to the contractor and would also be reasonable. Agreeing with the opinion of the Deputy Commissioner, Government are pleased to direct that a remission of Rs.224-2-8 be granted to the contractor.

2. The Deputy Commissioner, Tumkur District, is requested to issue necessary instructions to the President of the Sira Town Municipality to take immediate action to recover the balance of the amount due from the contractor and credit it to the funds of the Municipality without any delay.

for Secretary to Government,
Revenue Department.

To

The Deputy Commissioner, Tumkur District, (with records)
" Comptroller to Government.

INS.3.